

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:	:
	:
Miles H. Gray	:
t/a H Street Main Street	: Fact-
729 Tenth Street, NE	: Finding
Retailer G - ANC-6A	: Hearing
License No. 96479	:
Case #14-CMP-00601	:
	:
(Operating After Hours)	:

January 7, 2015

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

ABYIE GHENENE, ABRA Investigator

1 P-R-O-C-E-E-D-I-N-G-S

2 1:55 p.m.

3 CHAIRPERSON MILLER: Okay. Why don't
4 we get this hearing started? We are back on the
5 dias for a Fact-Finding Hearing. And the case is
6 Case No. 14-CMP-00601, H Street Main Street
7 located at 729 Tenth Street, N.E., License No.
8 96479, in ANC-6A.

9 First, I want to start with
10 introductions by the individuals who are here.
11 So on my right? Sir, what's your name?

12 MR. GRAY: Miles Gray.

13 CHAIRPERSON MILLER: Okay. And are
14 you the owner of -- no? What's your position?
15 Are you the licensee at a festival?

16 MR. GRAY: Yes, ma'am.

17 CHAIRPERSON MILLER: Right. Okay.
18 And also with us is our Investigator, Mr.
19 Ghenene.

20 INVESTIGATOR GHENENE: Sure. ABRA
21 Investigator Abyie Ghenene.

22 CHAIRPERSON MILLER: Okay. So we have

1 called you in for what is called a Fact-Finding
2 Hearing. We are not putting you under oath.
3 It's not a case where you are going to be
4 testifying or we are going to take any action
5 against you per se for violating the laws, but we
6 do want to find out more about it and give you
7 some feedback.

8 And you know, it's possible that, you
9 know, some action could be taken later, but this
10 is not that kind of a hearing.

11 MR. GRAY: Yes, ma'am.

12 CHAIRPERSON MILLER: Okay. So I
13 believe that, in essence, this involves basically
14 your having operated after hours of the festival,
15 the H Street Festival in September.

16 The way we are going to start is that
17 Mr. Ghenene is the Investigator on the case and
18 he wrote a report about it. Did you get a copy
19 of the report?

20 MR. GRAY: Yes, ma'am.

21 CHAIRPERSON MILLER: Okay. So Mr.
22 Ghenene may, you know, just tell us a little bit

1 based on his report. And then you will have an
2 opportunity to respond and will have an
3 opportunity to ask questions.

4 Okay. Mr. Ghenene?

5 INVESTIGATOR GHENENE: Yes, ma'am. I
6 just want to make one clarification.

7 CHAIRPERSON MILLER: Okay.

8 INVESTIGATOR GHENENE: This report was
9 written by Erin Mathieson, but we were together
10 that day --

11 CHAIRPERSON MILLER: Okay.

12 INVESTIGATOR GHENENE: -- of the
13 festival. So this report was created as part of
14 our overall investigation of the H Street
15 Festival, which occurred on Saturday, September
16 20, 2014.

17 So on Saturday September 20, 2014,
18 Investigator Mathieson, ex-ABRA Investigator Erin
19 Mathieson and I were monitoring the H Street
20 Festival and we monitored from beginning to end.
21 And we were walking down the street and according
22 to the report, Investigator Mathieson remembered

1 -- and let me just back up and say the way that
2 we divided -- there is a ton of licensees that
3 day.

4 And we found it helpful to kind of
5 divide them, just for the beginning part of the
6 day, so that if she would hit half of the
7 licensees and I would to make sure that everyone
8 was set up regarding their -- as regards to their
9 schematics and, you know, they understood the
10 regulations and they had their proper signs,
11 etcetera.

12 So according to the report, this
13 licensee was one that Erin had checked earlier in
14 the morning. And she -- when we were at the end
15 of the evening, while we were walking together
16 down H Street, she noticed that there was still a
17 bunch of people in that parking lot area where
18 the licensee was stationed.

19 And that she recalled, that according
20 to the report, the end of the hours of the
21 license and recognized that they might be beyond
22 that licensing time. Investigator Mathieson and

1 then it's not -- I'm jumping between the report
2 and what happened, but it's not unusual for us to
3 kind of split up when trying to substantiate a
4 violation.

5 So I remember on that day, she
6 actually entered the -- see it's not an
7 establishment, it's a parking lot. She entered
8 the gates to substantiate an after hours
9 violation while I remained at the front gate
10 waiting on the licensee, because we didn't --
11 neither one of us thought that she was unsafe to
12 be by herself or me be unsafe by myself, so it's
13 not unusual for us to do that.

14 So she went into the actual area that
15 the license covered to view what was going on.
16 And I remained at the front. And according to
17 the report, Ms. Mathieson observed several people
18 inside of the licensed establishment. And I
19 believe in here she put that she observed people
20 consuming alcohol, but observed that the bar
21 areas were shut down and not serving alcohol.

22 CHAIRPERSON MILLER: You will get a

1 chance to respond.

2 MR. GRAY: I'm sorry.

3 CHAIRPERSON MILLER: Hold that
4 thought, yes.

5 INVESTIGATOR GHENENE: So then I -- it
6 says that she also wrote in here that she -- I'm
7 sorry. She said she observed several people
8 holding what appeared to be alcoholic beverages.
9 She said the bar appeared to be cleaning up and,
10 approximately, 150 persons inside the area and
11 that the DJ abruptly stopped playing music and
12 that's when there was a mass -- well, she said
13 she took several photos of the area.

14 And I guess at the same time, I was
15 speaking with the licensee and based off of what
16 Investigator Mathieson said, I guess when she
17 turned to where I was standing, based off of what
18 she told me, I advised the licensee of the
19 violations.

20 And the only thing that I would add to
21 that is that from my perspective, this was at the
22 end of the night and I remember this was kind of

1 our like final walk through of the H Street area,
2 of the H Street Festival. And everything was
3 shutting down, everything was shutting down. And
4 I remember while waiting for the licensee, there
5 were people coming out even before Ms. Mathieson
6 and I, I guess, approached the parking lot.

7 I also wanted to add that this parking
8 lot is -- I don't want to say it's the largest
9 draw for the H Street Festival, but it might be
10 the largest draw for the H Street Festival.

11 Last year, I know they were -- they
12 had some sort of partnership with Red Bull and it
13 was clearly the most popular last year, you know
14 last year. Well, I guess two years ago. It was
15 clearly the most popular area. And so that's all
16 I wanted to add to it.

17 CHAIRPERSON MILLER: Okay. Mr. Gray,
18 did you have something you were anxious to say?

19 MR. GRAY: Yes, ma'am.

20 CHAIRPERSON MILLER: Okay.

21 MR. GRAY: There was just a point of
22 clarification that she didn't actually write --

1 he corrected it --

2 CHAIRPERSON MILLER: Oh.

3 MR. GRAY: -- in his statement. She
4 didn't actually write that anybody was seen
5 consuming alcohol. Nobody was. It's in the
6 report. He corrected it what he said.

7 CHAIRPERSON MILLER: The DJ was
8 playing after 7:00?

9 MR. GRAY: Excuse me?

10 CHAIRPERSON MILLER: It says the DJ
11 was playing after 7:00.

12 MR. GRAY: Yes, ma'am. There was the
13 -- one of the DJ stations was playing an iPod,
14 yes, ma'am, while we were cleaning up.

15 CHAIRPERSON MILLER: Okay. Well, is
16 there anything you want to say before we ask any
17 questions of you all?

18 MR. GRAY: Like I said, we have done
19 this -- I think this is our fifth year having
20 done it. We process thousands of people through
21 that lot with zero problems. Last year
22 circumstance, my application actually states that

1 we tried to apply for 8:00 p.m., as we did the
2 year before.

3 CHAIRPERSON MILLER: Yes.

4 MR. GRAY: If you look at the 2013
5 transcript of the Fact-Finding Hearing for H
6 Street Festival, we -- actually, Mr. Alberti and
7 myself had a conversation about that 7:00 to 8:00
8 p.m. time. I put 8:00 p.m. on the application
9 largely because it's almost impossible to get 750
10 or 1,000 people pushed out of a lot responsibly
11 in a festival which is actually 125,000 people.

12 So what we are talking about in this
13 circumstance is less than 1/10th of 1 percent of
14 the number of attendees at the actual festival
15 were corralled in a semi-closed space in the
16 parking lot. I don't own the parking lot. And
17 immediately when Investigator Ghenene let us know
18 that we needed to push people out of the lot, we
19 did and complied immediately.

20 But the people who were actually
21 remaining in the lot were by no means the amount
22 of people who were in the lot for the activity.

1 We had cleaned up. We had gone through and make
2 sure that everybody who had a cup, it was not
3 alcoholic beverage. We actually made sure that
4 we even passed out water to people. Just trying
5 to be responsible.

6 And it looks like, you know, in my
7 effort to being responsible has, you know, come
8 back to become an issue, which is not what we
9 tried to do by any means. We try to be as
10 responsible as possible.

11 CHAIRPERSON MILLER: Okay.

12 MR. GRAY: Also, I guess the -- you
13 know, in the pictures, I don't think there is
14 anybody can be seen holding a beverage even in
15 the evidence pictures. So like I said I don't --
16 I have zero recollection of anybody having
17 alcoholic beverage in there.

18 We did everything that we typically do
19 as far as shutting down, getting people water,
20 not pushing -- you know, making sure that
21 everybody is okay, coherent, that type of thing.
22 If anybody needs help or anything like that,

1 because we know that it will be a reflection on
2 our responsibility, our license, that type of
3 thing.

4 CHAIRPERSON MILLER: So the report
5 says that there were like 150 people in the area.
6 When you are not shutting down, how many people
7 are in that area?

8 MR. GRAY: We're talking 750 to 1,000
9 people maybe.

10 CHAIRPERSON MILLER: Okay. Did you
11 get any -- I mean, it sounds like, and Mr.
12 Ghenene can address this, too, but it sounds like
13 you know, part of what the Investigators do is
14 tell you what your expectations are and what you
15 are supposed to do, when you are supposed to shut
16 down, etcetera.

17 MR. GRAY: Right.

18 CHAIRPERSON MILLER: Did you get any
19 guidance as to like, you know, by 7:00 what is
20 supposed to have happened?

21 MR. GRAY: Well, yes, certainly. When
22 they came over in the morning, I guess to check

1 our license, it was the same protocol as the
2 previous years. You guys need to be shut down by
3 7:00. We did everything. Around 6:30 I think we
4 called last call. We started shutting down then.
5 We shut the bars down. There was absolutely no
6 alcohol poured beyond, I think, 6:45, 7:00, you
7 know, per just normal standard, you know, bar/
8 restaurant/festival protocol. And we started
9 cleaning up.

10 CHAIRPERSON MILLER: Okay.

11 MR. GRAY: You know, these bars that
12 we have there, some of that 150 people also are
13 our crew. You know, we have 10 to 15 security.
14 We have, you know, tremendous bars. We have a 40
15 foot bar and a 20 foot bar. There is a satellite
16 truck there. There is a \$10,000 stage, artists.
17 You know, you can get 150 people just from clean
18 up crew. I brought one of my video arcades out
19 there, a set of bleachers, you know, 10 tents.
20 There is a ton of cleaning up that has to be done
21 and there is friends, family, security people,
22 check-in people, the cashier, all that type of

1 stuff.

2 CHAIRPERSON MILLER: So you are not an
3 owner of an alcohol establishment? Oh, you are?
4 Oh, you are? What is that?

5 MR. GRAY: Smith Public Trust over in
6 Brookland.

7 CHAIRPERSON MILLER: Oh, okay, so
8 that's why you have this experience. Okay.

9 MR. GRAY: Yes, ma'am. And I was
10 managing partner over at Smith Commons.

11 CHAIRPERSON MILLER: Okay.

12 MEMBER ALBERTI: I remember seeing you
13 at Smith Commons.

14 MR. GRAY: Yes. And like I said, I
15 have my liquor license in my name over at Smith
16 Public Trust.

17 CHAIRPERSON MILLER: Okay. Thank you.
18 Are you given any guidance, and Mr. Ghenene can
19 respond to this as well, but with respect to when
20 you are supposed to shut the DJ down?

21 MR. GRAY: No. I didn't -- if they
22 did, I am not saying that they didn't tell us,

1 but we didn't -- I was not aware that the DJ had
2 to be shut down at a certain time. And I know in
3 the report it says that they were playing at loud
4 volumes, but it was a clean-up level. It's just
5 like you were in a restaurant or a bar, you have
6 the radio on while people are cleaning up. It
7 was the same thing. There is no -- there was no
8 way that we were playing that music at the same
9 level at which we would be playing at a festival,
10 you know, at 8:00 at night.

11 There are people who live behind that
12 parking lot as well, who are gracious enough to
13 give us that space for the festival. That's not
14 something that we would do. And if we would --
15 we had that type of history of doing it, there is
16 no way they would allow us back to do that type
17 of event.

18 CHAIRPERSON MILLER: All right. Mr.
19 Ghenene, do you want to just respond to those
20 questions about --

21 MEMBER ALBERTI: Ms. Miller, may I --

22 CHAIRPERSON MILLER: Oh --

1 MEMBER ALBERTI: -- just -- I think I
2 can help everybody here if you just give me one
3 moment.

4 CHAIRPERSON MILLER: Okay.

5 MEMBER ALBERTI: I have some
6 information that may be helpful to everybody.

7 CHAIRPERSON MILLER: Okay.

8 MEMBER ALBERTI: I just noted that on
9 the license that we issued, it says hours of
10 sales and service of alcohol beverages is noon to
11 8:00 p.m. So in effect --

12 CHAIRPERSON MILLER: Oh, okay.

13 MEMBER ALBERTI: -- but wait, wait,
14 wait. But it also says hours of event are noon
15 to 7:00 p.m. So there is some -- that -- we
16 should have -- well, I will admit that we should
17 have asked for consistency in those hours before
18 this was issued.

19 MR. GRAY: Yes, sir.

20 MEMBER ALBERTI: All right. So just
21 be mindful of that next year, Mr. Gray.

22 MR. GRAY: Yes.

1 MEMBER ALBERTI: Others may have other
2 comments, but we should have, as an Agency, had
3 consistency --

4 MR. GRAY: Yes, sir.

5 MEMBER ALBERTI: -- in those two
6 areas. I for one am glad to hear you talk about
7 what your operation was and how -- and the
8 intent. I'll tell you given what I now see in
9 the license, I understand the confusion --

10 MR. GRAY: Yes, sir.

11 MEMBER ALBERTI: -- that could have
12 occurred.

13 MR. GRAY: Yes, sir. And also, too,
14 like I appreciate what you said. The -- you
15 know, even -- in regards to the hours, even at
16 the 7:00, you know, we shut down and did
17 everything we were supposed to do. And then like
18 I said, when the Investigator came over, the
19 minute I was notified of anything, you know, I
20 said I would push these people who were on the
21 space that I don't own, you know, into the street
22 for the MPD to deal with.

1 MEMBER ALBERTI: Can I ask --

2 MR. GRAY: That's not something we
3 typically do.

4 MEMBER ALBERTI: -- Investigator
5 Ghenene one real quick question, since we have
6 Mr. Gray here? So throughout -- you were there
7 throughout the day?

8 INVESTIGATOR GHENENE: Yes, sir.

9 MEMBER ALBERTI: This space is pretty
10 obvious. I mean, it's about four times the size
11 of this room.

12 INVESTIGATOR GHENENE: Yes, sir.

13 MEMBER ALBERTI: Did you notice any
14 problems there earlier in the day?

15 INVESTIGATOR GHENENE: No, no.

16 MEMBER ALBERTI: Okay. Great. I just
17 wanted to make sure since we had you here, I
18 thought I would ask that. Great. Thank you.

19 INVESTIGATOR GHENENE: And in
20 addition, just to kind of add on to it, the
21 amount of people who were there during the day
22 was not the same amount of people that were there

1 at night. Does that make sense?

2 MEMBER ALBERTI: There was probably
3 more during the day, I would imagine, right?

4 INVESTIGATOR GHENENE: It was
5 substantially.

6 MEMBER ALBERTI: Because I was there
7 before the party really got started and it was
8 crowded.

9 INVESTIGATOR GHENENE: Yes, like I
10 said it's probably the most popular pull.

11 MEMBER ALBERTI: Yes, and it always
12 is. It's centrally located. So I just wanted to
13 put that out there for everyone.

14 CHAIRPERSON MILLER: That's
15 significant.

16 MEMBER ALBERTI: And I'll stop my
17 questioning.

18 MR. GRAY: I just want to make sure
19 like, you know, I'm kind of fearful of these type
20 of things only because I don't want to be seen in
21 a negative light. I know there have been some,
22 you know, crazy issues that have happened with

1 liquor licensees here recently --

2 CHAIRPERSON MILLER: Yes.

3 MR. GRAY: -- in the city. Over at
4 Smith Public Trust, for example, we have taken,
5 you know, a place that a murder occurred and
6 which was a notorious hangout for college kids
7 and we tried to do everything we can to
8 revitalize that space, change it into a
9 responsible account and, you know, we're great
10 friends now with the Catholic University.

11 It's the same thing with the festival.
12 I just wanted to make sure that, you know, I know
13 these things are on record. I know these things
14 are public record and I don't want to, you know,
15 confuse myself as one of those people --

16 CHAIRPERSON MILLER: Yes.

17 MR. GRAY: -- who violate, you know,
18 the rules and regulations that everybody has to
19 go by.

20 CHAIRPERSON MILLER: Yes.

21 MR. GRAY: That's not what we are here
22 to do. I don't want to be seen in that light.

1 And you know, I --

2 MEMBER SHORT: Madam Chair?

3 MEMBER ALBERTI: Is that the old
4 library?

5 CHAIRPERSON MILLER: Yes.

6 MR. GRAY: Yes, the old library.

7 MEMBER ALBERTI: Okay.

8 CHAIRPERSON MILLER: Okay.

9 MR. GRAY: I just wanted to make sure
10 that we are --

11 CHAIRPERSON MILLER: Yes?

12 MEMBER SHORT: Thank you. It's
13 refreshing to hear someone speak of being
14 responsible at these events and as Mr. Alberti
15 pointed out, the hours were a little strange on
16 the permit itself.

17 MR. GRAY: Yes, sir.

18 MEMBER SHORT: And again, it's good to
19 hear that you are a good businessman and you're
20 thinking about our community, especially over at
21 Catholic University, because we have had some
22 underage drinking problems over there, so I

1 salute you for working to make sure that that
2 doesn't happen in your establishment there.

3 But one question I have to ask.

4 MR. GRAY: Yes, sir.

5 MEMBER SHORT: If the Investigators
6 had not asked you when they asked you about
7 getting those people out of the lot, when were
8 you going to, without their asking you to, get
9 those people out of the lot?

10 MR. GRAY: Honestly, I didn't have any
11 intention of actually pushing people out of that
12 lot. Like I said, you know, we were there, you
13 know, until probably 11:00 cleaning up. This is
14 a larger production.

15 MEMBER SHORT: I'm very familiar with
16 festivals, but I will just say this to you.

17 MR. GRAY: Okay.

18 MEMBER SHORT: You know, because the
19 city has to pay those officers and everybody to
20 stay there until everything is clear --

21 MR. GRAY: Oh, yes, sir.

22 MEMBER SHORT: -- so it costs the city

1 a lot more money if -- so the more expedient you
2 could be in cleaning up, getting the crowd moved
3 out, you will be helping your event --

4 MR. GRAY: Yes, sir.

5 MEMBER SHORT: -- whenever you come
6 before this Board, we will look at you very
7 favorably and those kind of things. Work with
8 us. The Investigators were only doing what they
9 thought was right.

10 MR. GRAY: Yes, sir.

11 MEMBER SHORT: And hopefully we don't
12 see you like this again.

13 MR. GRAY: I hope not. I hope not.

14 MEMBER ALBERTI: Can I just follow-up
15 on Mr. Short's comment real quick?

16 CHAIRPERSON MILLER: Sure.

17 MEMBER ALBERTI: Mr. Gray -- thank you
18 for that, Mr. Short. So, Mr. Gray, I just want
19 you to be mindful that next year --

20 MR. GRAY: Yes, sir.

21 MEMBER ALBERTI: -- if it says 8:00 or
22 it says 7:00 or whatever it is, we expect the

1 crowd to be out of there.

2 MR. GRAY: Yes, sir.

3 MEMBER ALBERTI: So had it been after
4 8:00, we would be viewing this a little bit
5 differently.

6 MR. GRAY: Yes, sir.

7 MEMBER ALBERTI: But you are here
8 because we are always -- we are very cautious
9 about these kinds of events.

10 MR. GRAY: I understand.

11 MEMBER ALBERTI: Especially given this
12 big space. So that's why you are here. But
13 anyway, so just be mindful of that next year.

14 MR. GRAY: Yes, sir. And we take it--
15 I mean, we take it very seriously.

16 MEMBER ALBERTI: Right. I understand
17 that.

18 MR. GRAY: You know, the thousands of
19 accounts that you guys have to regulate. We
20 understand that it's, you know, a responsibility
21 for you all to allow us to do fun things like
22 this and we take it very seriously.

1 MEMBER SHORT: Thank you again for
2 being a good businessman.

3 MR. GRAY: Thank you, sir.

4 CHAIRPERSON MILLER: I just want to
5 follow-up on that statement as well, because I
6 know you are subject to -- our regulations -- I
7 believe you have an event agreement, so you are
8 subject to the terms of that.

9 MR. GRAY: Right.

10 CHAIRPERSON MILLER: So I just think
11 it's important that people understand what the
12 rules are. You know, if they say 7:00, what does
13 that mean? And what does it mean here.

14 MR. GRAY: Right.

15 CHAIRPERSON MILLER: And so everybody
16 goes in with a clear understanding and I think
17 that the Investigators can help facilitate that
18 as well. If 7:00 doesn't mean -- maybe it
19 doesn't mean 6:45 last call. Maybe it means
20 6:30.

21 MR. GRAY: Right.

22 CHAIRPERSON MILLER: Maybe it means

1 they are out or maybe it means you start telling
2 people to leave at 7:00. I don't know. But it
3 just has to be -- we just all have to be clear
4 about it.

5 MR. GRAY: Yes, ma'am. And the
6 difficulty, I think, with that parking lot space
7 is it's a parking lot.

8 CHAIRPERSON MILLER: Okay.

9 MR. GRAY: The AutoZone parking lot,
10 so people can -- you know, as they are walking up
11 and down the street --

12 CHAIRPERSON MILLER: Right.

13 MR. GRAY: -- they kind of just, you
14 know, meander over there and I'm sure that, you
15 know, the fault lies on us for even having the
16 music playing.

17 CHAIRPERSON MILLER: Yes.

18 MR. GRAY: And maybe confusing people
19 into thinking that this space is still going.

20 CHAIRPERSON MILLER: Right, right,
21 that's the other part of it.

22 MR. GRAY: So that will be completely

1 eliminated. That's just, you know, whenever our
2 hours are up, you know, we will go dead and try
3 to get out of there as quick as possible in the
4 future.

5 MEMBER SHORT: Glad to hear that, too.

6 CHAIRPERSON MILLER: Yes.

7 MEMBER SHORT: Glad to hear that.

8 CHAIRPERSON MILLER: And the other
9 thing is, I mean, I don't think that the fact
10 that you came in here for these questions should
11 be a black mark at all on you or your operation.
12 It's just a Fact-Finding. We are just asking
13 questions. We found out, you know, answers and
14 fine, you know, we didn't -- we aren't finding
15 anything wrong with you.

16 MR. GRAY: I'm glad and I'm new to
17 this thing.

18 CHAIRPERSON MILLER: Yes, exactly.

19 MR. GRAY: So you know, I just want to
20 keep our nose clean --

21 CHAIRPERSON MILLER: Yes.

22 MR. GRAY: -- you know, as much as we

1 can.

2 CHAIRPERSON MILLER: Okay.

3 MEMBER ALBERTI: I do have another
4 pertinent question. This is not -- well, you
5 listed on the application that this -- the
6 license was to H Street. You are the licensee,
7 but it's the --

8 MR. GRAY: Yes.

9 MEMBER ALBERTI: -- organization is H
10 Street Main Street.

11 MR. GRAY: Yes.

12 MEMBER ALBERTI: So are you a
13 representative of H Street? I mean, what is your
14 connection to H Street Main Street? And how is
15 that working?

16 MR. GRAY: Well, I mean --

17 MEMBER ALBERTI: How did that work
18 here?

19 MR. GRAY: -- our relation is to build
20 up the festival. So I guess, you know, you have
21 seen it before. It used to be probably a couple
22 thousand people. Now, it's 125,000 people. So I

1 work with Anwar and we are beginning to -- you
2 know, to plan out the festival, you know, from --
3 and I'm the only person on the Festival Committee
4 that actually has a liquor license or bar
5 experience, so kind of advising and, you know,
6 sharing with them on how they could better --

7 MEMBER ALBERTI: But are you really
8 doing this on behalf of H Street Main Street?

9 MR. GRAY: Yes, sir.

10 MEMBER ALBERTI: Okay. The reason I'm
11 asking is that who do we -- who are we holding
12 accountable?

13 MR. GRAY: Oh.

14 MEMBER ALBERTI: I mean, is it just
15 you or is it H Street Main Street, that we are
16 also holding accountable?

17 MR. GRAY: Yes. I put my name on the
18 license because I expect to be held responsible
19 and accountable for anything.

20 MEMBER ALBERTI: But should H Street
21 Main Street also be held accountable if --

22 MR. GRAY: I don't think so. I'm the

1 operator of that circumstance on that day.

2 MEMBER ALBERTI: Okay. I mean, it's
3 just confusing when you put that down. We view
4 you as a representative of H Street Main Street.
5 So if anything had gone awry, we would be, just
6 be mindful and tell Anwar this --

7 MR. GRAY: Yes, sir.

8 MEMBER ALBERTI: We would be holding
9 H Street Main Street accountable also.

10 MR. GRAY: Okay. I understand.

11 MEMBER ALBERTI: Because their name --
12 the license is representing you as a
13 representative of H Street Main Street when I
14 look at the way it is written.

15 MR. GRAY: Yes, sir.

16 MEMBER ALBERTI: Okay.

17 CHAIRPERSON MILLER: If that's
18 confusing at all --

19 MEMBER ALBERTI: Just to warn you.

20 CHAIRPERSON MILLER: -- you know, you
21 have time when you get to be working on the
22 festival again, feel free to check-in with Mr.

1 Ghenene or our General Counsel, Martha Jenkins,
2 if you have any kind of questions, you know, as
3 to how to represent yourself or whatever.

4 MR. GRAY: Yes, ma'am.

5 CHAIRPERSON MILLER: Okay.

6 MEMBER ALBERTI: Okay. Very good.

7 MR. GRAY: Okay.

8 CHAIRPERSON MILLER: Anything else?

9 MEMBER SILVERSTEIN: You have done
10 well.

11 MEMBER ALBERTI: Yes.

12 CHAIRPERSON MILLER: Thank you for
13 coming down.

14 MR. GRAY: Oh, thank you all for --

15 MEMBER RODRIGUEZ: Happy new year.

16 CHAIRPERSON MILLER: Okay.

17 MEMBER ALBERTI: Pleasure to see you
18 again.

19 CHAIRPERSON MILLER: Okay. Yes, you
20 are excused.

21 MR. GRAY: I can leave now?

22 CHAIRPERSON MILLER: Yes.

1 MEMBER ALBERTI: Yes. Thank you.

2 MR. GRAY: Thank you.

3 CHAIRPERSON MILLER: Thank you, Mr.

4 Ghenene.

5 INVESTIGATOR GHENENE: No problem.

6 CHAIRPERSON MILLER: Okay. All right.

7 (Whereupon, the Fact-Finding Hearing

8 in the above-entitled matter was concluded at

9 2:19 p.m.)

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